Duane Morris

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USPTO, Group Art Unit 3742

FACSIMILE NUMBER:

571 273 8300

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TELEPHONE:

FROM:

Ruth Der, Paralegal

DIRECT DIAL:

415.371.2231

DATE:

August 12, 2005

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FILE NUMBER:

Atty. Docket No. R0367-01601, Serial No. 10/658,911

TOTAL # OF PAGES:

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MESSAGE:

Attached are Information Disclosure Statement inclusive of Form

PTO-1449.

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PATENT

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of		) Examiner: Joseph M. Femani
Burbank et al.		Group Art Unit: 3742
For: TISSUE SITE IMAGING	E MARKERS FOR IN VIVO	
Serial No.: 10/658,9	911	TRANSMITTAL
Filed: September 10	0, 2003	)
Atty, Docket No.: R	0367-01601	)
	CERTIFICATE OF MAILING/FACSIMI	ILE PURSUANT TO 37 C.F.R. §1.8 273-8300. addressed to Mail Stop Amendment, Commissioner for August 12, 2005 in San Francisco, CA.
Pawais, F.O. B	By:	

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

#### Dear Sir:

- 1. Transmitted herewith for filing in the above-identified patent application are the following:
  - X Information Disclosure Statement; and
  - X Form PTO-1449.
- 2. Payment of Fees Due
  - Applicants believe that there is no fee due; however, should the Commissioner find otherwise, the Commissioner is authorized to charge the required fees and to credit any overpayment of fees which may be required under 37 C.F.R. §1.16 or §1.17, to Deposit Account No 04-1679, referencing <a href="https://doi.org/10.103/j.c.gov/Atty-Docket No. R0367-01601">https://docket No. R0367-01601</a>. A duplicate copy of this transmittal is enclosed for this purpose.

Respectfully

Edward J. Lynch

Registration No/24,422 Attorney for Applicants

DUANE MORRIS LLP
One Market

Spear Tower, Ste. 2000 San Francisco, CA 94105 Telephone: (415) 371-2200

Facsimile: (415) 371-2201 Direct Dial: (415) 371-2267

**PATENT** 

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of	) Examiner: Joseph M. Pelham					
Burbank et al.	Group Art Unit: 3742					
For. TISSUE SITE MARKERS FOR IN VIVO () IMAGING ()						
Serial No.: 10/658,911	) TRANSMITTAL					
Filed: September 10, 2003	<u>,</u>					
Atty. Docket No.: R0367-01601	)					
CERTIFICATE OF MAILING/FACSIMII I hereby certify that this these papers are being sent by facsimile to (571) 2 Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on By:	73-8300, addressed to Mail Stop Amendment, Commissioner for					
Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450						
Dear Sir:						
Transmitted herewith for filing in the above-ide     X     Information Disclosure Statement; as     X     Form PTO-1449.						
2. Payment of Fees Due						
Applicants believe that there is no fee due; however, should the Commissione find otherwise, the Commissioner is authorized to charge the required fees ar						

Respectfully

to credit any overpayment of fees which may be required under 37 C.F.R. §1.16 or §1.17, to Deposit Account No 04-1679, referencing Atty. Docket No. R0367-01601. A duplicate copy of this transmittal is enclosed for this purpose.

Pv. (

Registration No/24,422 Attorney for Applicants

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AUG 1 2 2005

PATENT

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of

Burbank et al.

TISSUE SITE MARKERS FOR IN VIVO For:

**IMAGING** 

Serial No.: 10/658,911

Filed: September 10, 2003

Docket No.: R0367-01601

Examiner: Joseph M. Pelham

Group Art Unit: 3742

INFORMATION DISCLOSURE <u>STATEMENT</u>

CERTIFICATE OF MAILING PURSUANT TO 37 C.F.R. §1.8

I hereby certify that this paper is being deposited via Facsimile at (571) 273-8300 and is addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 23313-1450 eq. August 12, 2005 in San Francisco, CA

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir.

Applicants wish to bring to the attention of the Patent Office the references listed on the attached PTO-1449 form and request that they be considered by the Examiner. Each item of information contained in the Information Disclosure Statement was cited in the Form PTO-892 from the U.S. Patent Office in a related application not more than three months prior to the filing of this Statement.

Applicants believe that there is no fee due; however, should the Commissioner find otherwise, the commissioner is authorized to charge any fees due and to credit any overpayment of fees associated with this communication which may be required under 37 C.F.R. §1.16 or §1.17, to Deposit Account No 04-1679, referencing Atty. Docket No. R0367-01601.

Respectfully submitted,

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE					ATTORNEY DOCKET NO.:	SERIAL NO.:	SERIAL NO.:	
					R0367-01601	10/658	,911	
INF	ORMATIO	N DISCLOSURE	STATEMEN	ſ			•	
	UNDER 3	7 CFR §1.56, §1.97,	and §1.98		·			
PTO-1449 FORM					APPLICANTS:	Joseph M. Pelham		
					Burbank et al.			
SHEET 1 OF 1					FILING DATE:	1	GROUP ART UNIT: 3742	
					September 10, 2003			
			U.S. PATE	NT DOC	UMENTS	·	· ·	
†EX'R INITIAL	*REF.#	PATENT NUMBER	DATE (MOYR)		NAME	U.S. CLASS/ SUBCLASS	FILING DATE (If appropriate)	
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† EXAM	INER: Ini	tial if reference is conside se through citation if not in	red, whether or not o	itation is li	n conformance with MPEP 609.			
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i n a prior a	r an astensk is pl polication that is i	aced peside the reference dentified in the statement	and relied upon for t	an earlier i	filing date under 35 U.S.C. 120. 37	C.F.R. 1.98(d).		